

IN THE UNITED STATES DESIGNATED/ELECTED OFFICE

107 551 998

International Application No. : PCT/EP2004/002354
 International Filing Date : 08 March 2004 (08.03.2004)
 Priority Date(s) Claimed : 05 April 2003 (05.04.2003)
 Applicant(s) (DO/EO/US) : Kai SCHIEMANN, et al.

Title: 1,3,4-SUBSTITUTED PYRAZOLES AS 5-HT RECEPTOR ANTAGONISTS FOR THE TREATMENT OF PSYCHOSES AND NEUROLOGICAL DISORDERS

INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR §§ 1.56, 1.97 and 1.98

Commissioner for Patents
 P.O. Box 1450
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Sir:

This information disclosure statement is made in accordance with 37 C.F.R. §§ 1.56, 1.97 and 1.98 as follows:

Timing and Fees

- ☒ Under 37 C.F.R. § 1.97(b), no fee or statement is required for filing this information disclosure statement is filed:
- ☐ within three months of the filing date of a national application other than a CPA under § 1.53(d);
 - ☒ within three months of the actual filing date of the national phase of a PCT application; OR
 - ☐ before the mailing of a first substantive office action (including after filing of an RCE).
- ☐ Under 37 C.F.R. § 1.97(c), this information disclosure statement is filed after the periods specified in 37 C.F.R. § 1.97(b), but before the mailing date of:
- a final rejection under 37 C.F.R. 1.113;
 - termination of prosecution, e.g. Ex Parte Quayle, M.P.E.P § 609(B)(2); OR
 - a notice of allowance under 37 C.F.R. § 1.311; and

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- ☐ the statement as specified in 37 C.F.R. § 1.97(e) set out below; OR
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- ☐ Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application having a mailing date not more than three months prior to the filing date of this information disclosure statement; or
- ☐ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the undersigned attorney after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing date of the information disclosure statement.

Cited Materials

- ☐ Copies of materials listed but not attached were cited in benefit (35 U.S.C. § 120) ancestor application Serial No. _____, on Form 892 by the Examiner and/or Form 1449 by the applicant; see 37 C.F.R. § 1.98(d).
- ☒ Copies of materials listed but not attached were cited in an international search report dated July 19, 2004.
- ☐ Not required by 37 CFR § 1.98.
- ☐ Copies of the materials listed are attached (except for the foregoing).

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Non-English Language References

☐ An English-language search report or equivalent paper from a foreign patent office is provided indicating the relevance of the cited reference(s).

☒ A foreign-language search report from a foreign patent office is provided, and pertinent parts are translated substantively below:

X = document of particular relevance when it is taken alone

Y = document of particular relevance when it is combined with another such document

A = document defining the general state of the art

O = non-written disclosure

P = intercalated document

T = document cited to understand the theory or principle underlying the invention

E = patent document which has the benefit of a date earlier than the filing date and which was published only on or after this filing date

D = cited in the application

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& = publication of member of same patent family

☒ Translation of other relevant information on foreign search report

In the search report, "Seite" means page, "Seiten" means pages, "Verbindungen der Formel" means Figure of formula, "Beispiele" means examples, and "das ganze Dokument" means the entire document, "Spalte" means column, "Zeile" means line, "Abbildungen" means claims, "Anspruch" means example, "Zusammenfassung" means summary, and "Tabelle" means table, and "Tabellen" means tables "in der Anmeldung erwähnt" means cited in the application, "Schema" means scheme, "und" means and, "Absatz" means break, "Abbildung" means figure.

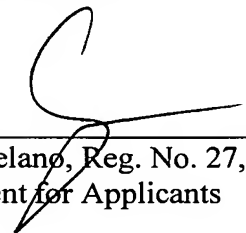
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☒ The Commissioner is hereby authorized to charge or credit any overpayment to Deposit .
Account #13-3402, two copies of this paper are attached for this purpose. **10/ 551 998**

Respectfully submitted,



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Attorney Docket No.: MERCK-3073

Date: October 4, 2005

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

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Sheet 1 of 2

Complete if Known

Application Number	USNP of PCT/EP2004/002354
Filing Date	08 March 2004 (08.03.2004)
First Named Inventor	Kai SCHIEMANN, et al.
Group Art Unit	unknown
Examiner Name	unknown
Attorney Docket Number	MERCK-3073

U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Number	Kind Code ² (if known)		
	001	6,150,393	A	BEHAN, ET AL.	11-21-2000
	002	6,043,261	A	HANSEN, JR., ET AL.	03-28-2000
	003	4,146,721	A	BYK GULDEN LOMBERG	03-27-1979

FOREIGN PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
	004	WO	01/29008	A	ARENA PHARMACEUTICALS INC.	04-26-2001	Entire Document	001
	005	WO	96/33175	A	SEARLE & CO	10-24-1996	Pg. 112; Ex. 144; Pg. 110; Ex. 140	002
	006	DE	21 41 125	A	BYK-GULDEN LOMBERG GMBH	02-24-1972	Example 1	
	007	WO	03/099793	A	TAKEDA LTD	12-04-2003	Ex. 52, Pg. 143; Ex. 146, Pg. 188; Ex. 164, Pg. 196	
	008	WO	2004/024705	A	TAKEDA LTD.	03-25-2004		
	009	WO	2004/037248	A	CAREX SA	05-06-2004	Fig. 2 & 4, Pg. 73 & 74; Fig. 12, Pg. 79	

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Sheet 2 of 2

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First Named Inventor Kai SCHIEMANN, et al.
Group Art Unit unknown
Examiner Name unknown
Attorney Docket Number MERCK-3073

NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	010	TAKEHITO OCHI ET AL.: "FR143166 ATTENUATES SPINAL PAIN TRANSMISSION THROUGH ACTIVATION OF THE SEROTONIN SYSTEM" EUROPEAN JOURNAL OF PHARMACOLOGY, Bd. 452, 2002, Pages 319-324, XP002284473, The Entire Document	
	011	YOSHIKO SUZUKI ET AL: "IN VITRO AND IN VIVO PHARMACOLOGICAL PROFILE OF 4-(4-FLUOROBENZYLIDENE)-1-(2'-5-(4-FLUOROPHENYL)-1H-PYRAZOL-4-YLIETHYL) PIPERIDINE (NRA0161)" LIFE SCIENCES, Bd. 71, 2002, pages 2603-2615, XP002284474, The Entire Document	
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	013	PEREZ ET AL: "AN EASY METHOD FOR THE N-ALKYLATION OF AMIDES, CARBAMATES, UREAS AND AZOLES..." HETEROCYCLES, Bd. 60, Nr. 1, 25 November 2002, Pages 167-175, XP002284476, Figures 10,11 and 12, Pages 168 and 173	
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	015	DATABASE CHEMABS 'ONLINE' CHEMICAL ABSTRACTS SERVICE, COLUMBUS, OHIO, US; 1960, GRANDBERG, I.I. ET AL: "PYRAZOLES. XII. HYDROXY-AND CHLOROMETHYLATION OF 1-SUBSTITUTED PYRAZOLES" XP002284480, FOUND IN STN, DATABASE ACCESSION NO. 1961:99421, SUMMARY & ZHURNAL OBSHCHEI KHIMII, 30, 3324-8; CODEN: ZOKHA4; ISSN: 0044-460X, 1960	
	016	DATABASE BEILSTEIN; BEILSTEIN INSTITUTE FOR ORGANIC CHEMISTRY, FRANKFURT-MAIN, DE; 29 NOVEMBER 1988; XP002284481, DATABASE ACCESSION NO. BRN 1127514 CAS-RN; 35000-58-9/ SUMMARY & DORN ET AL: J. PRAKT. CHEM., Bd. 313, 1971, Pages 236-246	
	017	BEBERNITZ ET AL.: "THE EFFECT OF 1,3-DIARYL-1HI-PYRAZOL-4-ACETAMIDES ON GLUCOSE UTILIZATION IN OB/OB MICE" J. MED. CHEM., Bd. 44, Nr. 16, 2001, PAGES 2601-2611, XP002284478; SCHEMA 1, METHODE A, STRUKTUREN 2-5, REAKTIONEN A AND B	
	018	ECHEVARRIA ET AL: RESEARCH IN THE AZOLE SERIES. 102 '1. SYNTHESIS AND 13C NMR STUDY OF PYRAZOLE-4-CARBOXALDEHYDES: J. HETEROCYCLIC CHEM., Bd. 30, 1993, PAGES 957-960, XP002284479, FORMULA 19, PAGE 957	
	019	DATABASE BEILSTEIN, BEILSTEIN INSTITUTE FOR ORGANIC CHEMISTRY, FRANKFURT-MAIN, DE; 24 JANUARY 2002, XP002284482, DATABASE ACCESSION NO. BRN 8913586 & BRATENKO ET AL: RUSS. J. ORG. CHEM. EN, Bd. 37, Nr. 4, 2001, PAGES 552-555	

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